

Energy Producers, Inc. NBR Enterprises Mel Herzog Ned Rafilson

Emergency Cease and Desist Order

DATE: June 17, 2002 RESPONDENTS: Energy Producers, Inc. of Scottsdale, Arizona; NBR Enterprises of Phoenix, Arizona; Mel Herzog of Scottsdale, Arizona; and Ned Rafilson of Phoenix, Arizona ORDER: Emergency Cease and Desist Order issued to respondents for allegedly promoting and offering an investment opportunity for \$50,000. The offer related to the purchase of stock shares or issuance of a promissory note to a Kansas resident at a rate of 10% per year. The Order alleges that neither the investment opportunity nor the respondent promoting it were properly registered under the Kansas Securities Act.

Memorandum of Understanding

DATE: December 9, 2002 RESPONDENTS: Energy Producers, Inc. of Scottsdale, Arizona and Mel Herzog of Scottsdale, Arizona ORDER: An Emergency Cease and Desist Order was issued June 17, 2002 to respondents for allegedly promoting and offering an investment opportunity for \$50,000. The offer related to the purchase of stock shares or issuance of a promissory note to a Kansas resident at a rate of 10% per year. The Order alleged that neither the investment opportunity nor the respondent promoting it were properly registered under the Kansas Securities Act. Parties reached an agreement to enter into an informal Memorandum of Understanding to resolve the matter. As part of the agreement, Energy Producers, Inc. and Mel Herzog agreed to pay investigation costs of \$1,000 and notify the Commissioner with 15 days written notice before any unregistered security is offered in Kansas.

Order to Vacate Emergency Cease and Desist

DATE: January 21, 2003 RESPONDENTS: Energy Producers, Inc. of Scottsdale, Arizona and Mel Herzog of Scottsdale, Arizona ORDER: An Emergency Cease and Desist Order was issued June 17, 2002 to respondents for allegedly promoting and offering an investment opportunity for \$50,000. The offer related to the purchase of stock shares or issuance of a promissory note to a Kansas resident at a rate of 10% per year. The Order alleged that neither the investment opportunity nor the respondent promoting it were properly registered under the Kansas Securities Act. Parties reached agreement as to entering into an informal Memorandum of Understanding. Upon review, the Commissioner finds that no sales of securities were made and payment has been submitted in the sum of \$1,000 for investigative costs. The Order issued by the Commissioner vacates the original Emergency Cease and Desist Order against respondents Energy Producers and Mel Herzog.

Notice to Investors: If you are not a resident of Kansas and have been affected by actions that are similar to those described in this synopsis, you should consider contacting your state securities regulator for assistance. To locate your securities regulator, go to the [North American Securities Administrators Association](#) website. If you choose to contact your state securities regulator, please inform him or her of the action taken by the State of Kansas.